

28 JUL 1967

WILLIAM BUCKLEY, William

Tshombe, Moise.

CIA 1 Congo

WILLIAM F. BUCKLEY

Gallows Readied for Tshombe

Who is raising a hand to save Moise Tshombe?

Well, Mrs. Tshombe for one. She has come to New York to do what she can to stir up sentiment in favor of her husband and to exert pressure on the Congo's Gen. Joseph Mobutu to stay the scheduled execution.

Tshombe's French lawyer cools his heels in Algeria, denied access to his client. In the United States, a committee to help Tshombe has retained Chicago attorney Luis Kutner to prepare a habeas corpus petition to present to the United Nations.

There were stirrings a fortnight ago from within the Congo, and it was widely assumed that the mercenaries who were loyal to Tshombe were rising up against Mobutu. History has shown that a half-dozen mercenaries are quite enough to topple a typical Congolese government. But these did not apparently want power, merely a little loot, and if they were moved by a loyalty to Tshombe, they did not make that clear.

Tshombe himself, when he rose to receive the verdict of the Algerian court, was thrice cryptic. He said that whatever the decision, he would receive it as becomes "a chief of state." But he is not a chief of state, rather a former chief of state. Then he said that his present plight was the doing of the CIA, a positively unfathomable allegation. And finally, that he was punished for his loyalty to Gen. Charles de Gaulle.

Why would the Algerian government punish someone friendly to De Gaulle, inasmuch as the Algerian government is friendly to De Gaulle? One suspects that Tshombe's wits were addled. Had he been brainwashed? Tortured?

One would certainly not want to found a church on Algerian justice. The court was supposed to determine two questions:

The first was whether there are extant treaties between Algeria and the Congo on the basis of which extradition

proceedings can be brought. The answer to that question is disturbingly easy, namely "No"—because at the present moment there are no diplomatic relations between Algeria and the Congo, so that whatever were the extradition agreements that previously obtained, for the moment they are inoperative.

The second question, which could only be asked if the first question were answered favorably to the Congolese petitioners, was whether Tshombe had committed non-political and hence extraditable crimes in the Congo. The verdict of the Algerians, prompted of course by the Congolese, was that he had—that he had murdered Patrice Lumumba, stolen money, committed graft, whatever.

The court appears simply to have accepted the Congo's bill of particulars, much as the old Jacobin court would accept as proof anyone's accusations, provided the rhetoric was sufficiently revolutionary, and trundled off the defendant to instant death at the guillotine.

Mobutu promptly announced that Tshombe would be put to death immediately upon arrival, that there was no need for further legal folderol. Tshombe has already been "tried" in absentia and of course found guilty of every heinous misdeed conjurable in the imagination of Mobutu. There was no defense, no rules of evidence enforced. It was as much a sham as the Congolese democracy.

So Tshombe waited to be deported. Even now he may be on his way. Indeed, for all we know surely, he may be dead at this moment.

Whatever delay there has been is probably attributable to certain mechanical difficulties in transshipping him to the Congo. How actually does one manage that? One can hardly expect Pan American Airways to schedule an "Execution Special" from Algiers to Leopoldville. No, the commercial carriers are unlikely to want to furnish their facilities for that grisly mission.

And the Congo has no airplanes of its own, at least none that could easily negotiate the long journey from North Africa to Central Africa. They have a couple of Piper Cubs, but whom would they hire to fly them all that way? Charles Lindbergh?

Meanwhile the executioner has the gallows ready. Perhaps there will be a little preliminary ritual. When last spring Tshombe's successor and the three former Cabinet members were executed, a reporter discloses that their eyes were first poked out—a little Congolese nicety—which is why when they went out into the public square to be hanged, they appeared with black hoods over their heads. That is the fate toward which Tshombe appears certainly to be headed.

Oh yes, there is another plea before the Algerian court that may hold things up for just a bit. Representatives of other African democracies have petitioned Algeria to hold Tshombe pending his trial as an "enemy of the African continent." An interesting crime, and no doubt Algerian justices could be counted on to find Tshombe guilty of it in a matter of moments.

But what then? How can Tshombe be executed simultaneously by each and every Africa state? Perhaps the notion is to execute him on color TV, for the delcetation of the entire continent. Perhaps the Ford Foundation will be asked to finance the facilities. The United Nations, which has been so eloquently silent during the entire fiasco, would be an appropriate sponsor.